

SENATE BILL 3382

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6; Title 38, Chapter 12, Part 1; Section 39-13-111 and Section 40-35-303, relative to rehabilitation of domestic violence perpetrators.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-3-606, is amended by deleting subdivision (a)(8) in its entirety and substituting instead the following:

(8) Directing the respondent to attend available batterer's intervention programs, as certified by the Domestic Violence State Coordinating Council, or substance abuse problems. A violation of a protection order or part of such order that directs counseling pursuant to this subdivision (a)(8) may be punished as criminal or civil contempt.

Section 36-3-610(a) shall apply with respect to a non-lawyer general sessions judge who holds a person in criminal contempt for violating this subdivision (a)(8); or

SECTION 2. Tennessee Code Annotated, Section 40-35-303(c), is amended by deleting the language "sanctioned batterer's intervention program" in subdivision (2)(B)(i) and substituting instead the language "batterer's intervention program certified by the Domestic Violence State Coordinating Council".

SECTION 3. Tennessee Code Annotated, Section 40-35-303(m), is amended by deleting the subsection in its entirety and substituting instead the following:

(m) In determining whether a person convicted of the offense of stalking, aggravated stalking, or especially aggravated stalking, as defined in § 39-17-315, or any criminal offense defined in title 39, chapter 13, in which the victim falls within the definition of "domestic assault victim" set forth in § 36-3-601, should be granted

probation, the court shall consider the safety and protection of the victim of the offense, and of any other member of the victim's family or household.

SECTION 4. Tennessee Code Annotated, Section 40-35-303(n), is amended by adding the following as a new subdivision:

(6) Requiring the perpetrator to complete a batterer's intervention program certified by the Domestic Violence State Coordinating Council.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.